



| | | | |
|--|--|---|--|
| FORM PTO-1390 | | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 3165-117 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | U.S. Application No. (if known,) 10/522,095 |
| | | | |
| INTERNATIONAL APPLICATION NO. PCT/EP2003/008013 | INTERNATIONAL FILING DATE July 22, 2003 | PRIORITY DATE CLAIMED July 23, 2002 | |
| TITLE OF INVENTION 3-HETEROCYCLYL SUBSTITUTED BENZOIC ACID DERIVATIVES | | | |
| APPLICANT(S) FOR DO/EO/US Michael PUHL, Gerhard HAMPRECHT, Robert REINHARD, Ingo SAGASSER, Werner SEITZ, Cyrill ZAGAR, Matthias WITSCHER, Andreas LANDES | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | |
| 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | |
| ITEMS 11. TO 20. below concern other document(s) or information included: | | | |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: | | | |

| | | | | | |
|--|--|--|--|-------------------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.50) 10/522,095 | | INTERNATIONAL APPLICATION NO. PCT/EP2003/008013 | | ATTORNEY DOCKET NO. 65-117 | |
|--|--|--|--|-------------------------------|--|

| | | | | | |
|--|--------------|--------------|------------|-----------------------|---------------------|
| 21. The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5): | | | | <u>CALCULATIONS</u> | <u>PTO USE ONLY</u> |
| a) Basic national Fee | \$300.00 | | | | |
| b) Examination fee | \$200.00 | | | | |
| c) Search fee | \$500.00 | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | 20 - 20 = | 0 | X \$50.00 | \$0 | |
| Independent Claims | 1 - 3 = | 0 | X \$200.00 | \$0 | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$0 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$0 | |
| SUBTOTAL = | | | | \$0 | |
| Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$0 | |
| TOTAL NATIONAL FEE = | | | | \$0 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$0 | |
| TOTAL FEES ENCLOSED = | | | | \$0 | |
| | | | | Amount to be refunded | \$ |
| | | | | charged | \$ |

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2135 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 6449

Robert B. Murray
 Rothwell, Figg, Ernst & Manbeck
 1425 K St., N.W.
 Washington, D.C. 20005
 Phone: 202/783-6040

Signature

 Robert B. Murray
 Name

 22,980
 Registration Number